

FILED - GR

June 20, 2013 12:00 PM

TRACEY CORDES, CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGANBY ns / ns / 6/20 SCANNED BY ns / 6/20In the United States District Court  
For the Western District of MichiganMichael Joseph Pierce

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

Kent County, Kent County Jail Administration/  
Administrators and Kent  
County

(Enter above the full name of the defendant or defendants in this action.)

1:13-cv-667

Robert Holmes Bell - U.S. District Judge

Joseph G Scoville - U.S. Magistrate Judge

COMPLAINT

## I. Previous Lawsuits

**CAUTION:** The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the required \$350 filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$350 filing fee regardless whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.  
\_\_\_\_\_
  2. Is the action still pending? Yes ☐ No ☐
    - a. If your answer was no, state precisely how the action was resolved: \_\_\_\_\_
  3. Did you appeal the decision? Yes ☐ No ☐
  4. Is the appeal still pending? Yes ☐ No ☐
    - a. If not pending, what was the decision on appeal? \_\_\_\_\_
  5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐

If so, explain: \_\_\_\_\_

II. Place of Present Confinement Kent County JailIf the place of present confinement is not the place you were confined when occurrence that is subject of instant lawsuit arose, also list the place you were confined: Kent County Correctional Facility

## III. Parties

## A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Michael Joseph Pierce  
 Address 703 Ball Ave., Grand Rapids, MI 49503

## B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Kent County Jail Administration  
 Position or Title Administrators to the Jail  
 Place of Employment Kent County Jail  
 Address 701 Ball Ave NE, Grand Rapids, MI 49503  
 Official and/or personal capacity? Administrators of Jail

Name of Defendant #2 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #3 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #4 Kent County

Position or Title \_\_\_\_\_

Place of Employment State of Michigan

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #5 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

## Statement of Claim

My Native American name is "Gichisawbi" and I am of the Grand Traverse Band of Ottawa and Chippewa Indians here in Michigan. I am currently incarcerated at the Kent County Jail (KCT) and my heart is heavy due to their denial of my Native American religious practices. These are the rights practiced by Native American inmates throughout state and federal penal institutions in this country, including the Michigan Department of Corrections. I am seeking the right to practice ceremonial "Smudging", to be able to have my "Medicine Pouch" and have access to a ceremonial "Sweet Lodge". All of these are essential to my spiritual religious path while on my life's journey. My spirit is troubled because the jail promotes the Christian religion and discriminates against my Native American beliefs, heritage and traditions by not providing even one form of equality to my Native American Spiritual/Religious beliefs, and goes as far as giving an entire section of the jail to Christians called the "God Pod". Native Americans should have the same accommodations to practice their "sincerely held religious beliefs". I claim that the policies practices and/or procedures of KCT are prejudicial and discriminatory and in effect proselytize the Christian faith. I claim that my civil right of "free exercise of religion" is being denied. I claim my civil right to be protected from prejudicial and/or discriminatory actions are being violated.

I claim that KCTJ policies, practices and/or procedures are the moving force in violating my civil rights as a Native American and that the Kent County Jail has initiated and maintains said policies ect.

## V. Claim to Relief

1. Declaratory and/or injunctive relief can be realized.
2. Punative damages can be realized under a First Amendment Violation
3. Punative damages can be realized if it is shown that the Defendant engaged in prejudicial and/or discriminatory actions which violated my civil rights.
4. I claim nominal damages are available for a violation of the Religious Land Use Institutionalized Person Act.
5. I claim punitive damages against Kent County must be of a substantial nature so as to discourage any further violations of inmates civil rights. A suggested punitive damage figure would be 10 million dollars and that any substantial monetary award would go to the advancement of Native American civil rights through the Grand Traverse Band of Ottawa and Chippewa Indians.
6. Relief can be obtained by providing a

Section of the jail for Native Americans to practice their Spiritual/Religious rights and ceremonies and the jail must build a "sweat lodge" to fulfill relief.

Dated: June 18, 2013

Michael J Pierce  
Michael J. Pierce